

who supported extremist views in order to conduct research for her classes. Dr. Lefler is further expected to testify that during the defendant's time at MTSU, she took some of Dr. Lefler's classes, including "International Security in a Changing World," "Literature Review in International Affairs," and "Readings in International Relations."

ARGUMENT

Rule 401 of the Federal Rules of Evidence permits the entry of evidence if the evidence is relevant. Evidence is relevant if:

- (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and;
- (b) the fact is of consequence in determining the action.

Dr. Neely and Dr. Lefler's testimony concerning Ms. Giampietro's academic studies' potential relevance to the charges in this case pertains to her knowledge. Specifically, evidence that Ms. Giampietro had knowledge of Hayat Tahrir Al-Sham (HTS), as the government must prove that Ms. Giampietro knew that HTS was a designated terrorist organization or engaged in acts which constitute terrorism.

Whether Dr. Neely and Dr. Lefler's classes in "International Security in a Changing World," "Literature Review in International Affairs," and "Readings in International Relations", and the unspecified classes taught by Dr. Neely, have a tendency to make it more probable that Ms. Giampietro knew that HTS was a designated terrorist organization or engaged in acts which constitute terrorism cannot be determined from the proffered testimony. However, given that HTS was not in existence at the time Ms. Giampietro took the above classes, Dr. Neely and Dr. Lefler's testimony on their face has little to no relevance to the material issues in this trial. Moreover, the issue of Ms. Giampietro's knowledge concerning HTS's activities is not seriously in question given her admissions to FBI agents during questioning on October 23, 2018.

CONCLUSION

The defendant respectfully requests that Kari Sue Neely and Vanessa Lefler be excluded from providing irrelevant and prejudicial evidence.

Respectfully submitted this 24th day of November, 2021.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of November, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

/s/ Charles D. Swift
CHARLES D. SWIFT
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